

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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U.S. ATTORNEY'S OFFICE

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UNITED STATES OF AMERICA,

v.

U.S. DISTRICT COURT
DISTRICT OF MASS
CIVIL ACTION
NO: 05-10401-RCL

DELIA J. BAEZ

MOTION TO REMOVE DEFAULT

Now comes the defendant Delia Baez, and pursuant to Federal Rules of Civil Procedure Rule 55 and 60 (b), respectfully requests that the court set aside the default judgment entered against her, and permit her to file the attached Answer of Defendant Delia Baez to the Complaint. As grounds therefore the undersigned states that due to inadvertent and other excusable neglect, the defendant did not respond in a timely fashion. The undersigned has provided an answer to the complaint of the United States attached hereto. In addition, the undersigned has submitted the attached Affidavit of Counsel.

Wherefore, the defendant respectfully requests that the default judgment be set aside, and that the defendant be permitted to file the attached Answer of Defendant Delia Baez to the Complaint.

Respectfully submitted,
DELIA J. BAEZ
By her lawyer,

8/30/05
Date

L. K.

WILLIAM KEEFE
BBO # 556817
390 Centre Street
Jamaica Plain, MA 02130
Telephone (617) 983-9200
Facsimile (617) 983-0733

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CERTIFICATE OF CONFERENCE

I, William Keefe, hereby certify that I made a good faith effort to confer with counsel for the United States. However, I understand that the Assistant United States Attorney handling this matter, is on vacation until after Labor Day, 2005.

8/30/05
Date

L T J.

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